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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,082	04/10/2001	Akihiro Denda	P01-4590/TS	7419

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EXAMINER

COLON, ROCIO

ART UNIT	PAPER NUMBER
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2651

DATE MAILED: 12/10/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/829,082

Applicant(s)

DENDA ET AL.

Examiner

Rocio Colon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukasawa (USPN 6,615,363) in view of Aramaki et al. (JP 10-144,011A).

Regarding claims 1-3, Fukasawa disclose an information recording apparatus for recording content information on an information recording medium comprising a main information recording area on which main information to be reproduced is recorded (column 7, lines 10-11, the data is treated as the main information), and a plurality of content information recording areas on which content information to be reproduced to indicate contents of said main information is recorded (column 1, lines 27-31), said apparatus comprising:

a recording device for recording said content information on a part of said plurality of content information recording areas (column 3, lines 64-65); and

a control device for controlling said recording device, so that content information that is identical with said content information recorded on said part of said content information recording areas can be recorded on an other part of said content information recording areas (column 13, lines 49-50); and

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recording the same content information in all the areas for the content information (column 7, lines 43-45).

Fukasawa fail to explicitly disclose the apparatus comprises a confirming device for confirming a recording result of said content information thus recorded and recording the content information in other part only when said recording result is confirmed to be successful.

However this limitation is well known in the art as evidenced by Aramaki et al. which disclose an apparatus for recording content information comprising a confirming device for confirming a recording result of said content information thus recorded and recording the content information in other part only when the recording result is confirmed to be successful (page 11, paragraph 0086), wherein said confirming device comprises:

a temporarily storing device for temporarily storing information that is identical with said content information recorded (page 11, paragraph 0086, memories 23A and 23B);

a detecting device for detecting said content information recorded from said content information recording areas (page 11, paragraph 0086, the data is read from the media and stored in the DRAM14); and

a judging device for judging the recording result by comparing said content information thus detected with the information stored in said temporarily storing device (page 11, paragraph 0086, the CPU compares the content information of the memories).

Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the device of Fukasawa because Aramaki et al. teaches the recording of content information may include a confirming device for confirming a recording result of the content information to verify the information is written correctly.

in view of Aramaki et al. disclose all the limitations of claim 1
4 depends. wherein said content information recording areas exist at three
and information recording medium (column 13, lines 49-50); and said recording
records said content information on only one of said content information recording areas
per recording (column 4, lines 56-58).

Method claims 5 and 6 are drawn to the method of using the corresponding apparatus
claimed in claims 1 and 2. Therefore method claims 5 and 6 correspond to apparatus claims 1
and 2 and are rejected for the same reasons of obviousness as used above.

Conclusion


Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Rocio Colon whose telephone number is (703) 305-3947. The
examiner can normally be reached on Mon-Thu 8:00a.m.-6:30p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, David Hudspeth can be reached on (703)308-4825. The fax phone number for the
organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the receptionist whose telephone number is (703)305-3900.

RCV

December 3, 2003


DAVID HUDSPETH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600